



HON. SYLVIA O. HINDS-RADIX  
Corporation Counsel

THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, NY 10007

MICHAEL PESIN-VIROVETS  
Senior Counsel  
Phone: (212) 356-2617  
E-mail: mpvirove@law.nyc.gov

September 23, 2022

**By ECF**

Honorable Ona T. Wang  
United States Magistrate Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**MEMO ENDORSED.**

Re: Michael A. Johnson v. the City of New York, et al.,  
19-CV-8745 (GBD) (OTW)

Your Honor:


I am a Senior Counsel in the Office of the Honorable Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and the attorney assigned to represent defendants in the above-referenced matter. The parties write jointly pursuant to the Court's August 24, 2022 Order, directing the parties to file a joint discovery letter by September 23, 2022. The following is a status of the current matter. For the reasons set forth herein, defendants' also request (1) until October 28, 2022 to produce relevant, non-privileged Human Resources Administration ("HRA") documents received on September 21, 2022, along with any other records plaintiff identified in his May 31, 2022 request, and (2) a subsequent extension from September 30, 2022 until November 25, 2022 to complete fact discovery.

By way of background, at the May 25, 2022 conference held in this matter the Court ordered defendants to (1) undertake a search for HRA records of conversations plaintiff had with current and former City employees that he believes were recorded, including the names of those employees, and (2) produce such records to *pro se* plaintiff. See ECF No. 69. In an effort to identify which records plaintiff sought from the HRA, plaintiff was ordered to provide to defendants the dates of conversations he had with HRA employees that he believes were recorded, and the names of those employees, by May 27, 2022. *Id.* On May 31, 2022, this office received plaintiff's discovery request. On September 21, 2022, HRA provided this office with approximately several hundred pages of documents that may be responsive to plaintiff's requests.

In light of HRA's voluminous production which was only received by the undersigned earlier this week, defendants respectfully request (1) until October 28, 2022 to

produce the relevant, non-privileged HRA documents received on September 21, 2022, along with any other records plaintiff identified in his May 31, 2022 request, and (2) a subsequent extension from September 30, 2022 until November 25, 2022 to complete fact discovery.<sup>1</sup>

The parties thank the Court for its time and consideration of this request.

By:   
Michael Pesin-Virovets  
Senior Counsel

cc: **VIA ELECTRONIC MAIL**  
Michael A. Johnson  
*Plaintiff Pro Se*  
70 East 115<sup>th</sup> Street, Apt. 10-E  
New York, NY 10029  
Blacksuperman2@charter.net

Application **GRANTED**. Defendants' deadline to produce the above referenced documents is extended to October 28, 2022. Fact discovery in this matter is extended to November 25, 2022. Counsel for Defendants is directed to serve a copy of this Order on the *pro se* Plaintiff.

**SO ORDERED.**



Ona T. Wang  
U.S.M.J. 9/30/22

<sup>1</sup> While plaintiff consents to these requests, plaintiff has also asked defendants to inform the Court that he intends to file a motion addressing on-going violations of his civil rights under the Americans with Disabilities Act for denial of services by HRA. Plaintiff did not specify when he intends to file said motion.